



Docket No. 3634-025

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Post Office as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231, on

Date: 11-14-02
Name: Christopher S. Schenck, Jr.
Signature: Christopher S. Schenck, Jr.
Clifford Chance US LLP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Smith et al.

Filed: December 7, 2001 Group Art Unit: 1647
Serial No: 10/008,960 Examiner: to be determined
For: SENESCENT CELL DERIVED INHIBITORS OF DNA SYNTHESIS

RESPONSE TO NOTICE TO FILE MISSING PARTS
OF NONPROVISIONAL APPLICATION

Commissioner for Patents
BOX: MISSING PARTS
Washington, D.C. 20231

Sir:

In response to the Notice to File Missing Parts of NonProvisional Application (copy enclosed) dated May 14, 2002 received for the above identified application, enclosed please find the following:

1. Executed Declaration and Power of Attorney of Asao Noda along with copy of executed Declaration and Power of attorney from a prior application
2. A petition for Extension of Time
3. Statement under 37 C.F.R. § 1.821(e)

Please make the Declaration and Power of Attorney of record in the above-identified application.

The Commissioner is hereby authorized to charge the late submission surcharge of \$65.00 and any additional fee, or credit any overpayment to Deposit Account No. 50-0521. A duplicate copy of this transmittal is enclosed.

Date:

11/14/02

Respectfully submitted,

David F. Ries

David F. Ries

Reg. No. 43,046

Clifford Chance US LLP
200 Park Avenue
New York, NY 10166-0153
Telephone: (212) 878-8121



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STATEMENT UNDER 37 C.F.R. § 1.821(e)

REGARDING THE SEQUENCE LISTING IN COMPUTER READABLE FORM

Sir:

This statement is submitted as a timely response to the Notice to File Missing Parts dated May 14, 2002. Specifically, a copy of the "Sequence Listing" in computer readable form was requested. The computer readable form of the present application is identical with the computer readable form of the "Sequence Listing" that is found in the previously-filed U.S. Patent Application Serial No. 08/327,874, filed October 24, 1994 (now U.S. 6,327,249, issued April 16, 2002, at cols. 85-114). The present application claims the benefit of the '874 application filing date. In the '874 application, the computer readable form was submitted on disk and found to be compliant with the relevant requirements (see Paper No. 19, dated September 12, 1996, and Paper No. 20, dated September 16, 1996, from the file history of the '874 application)

Pursuant to 37 C.F.R. § 1.821(e), in lieu of filing a duplicate computer readable form in the present application, this letter is submitted as a request to use the compliant computer readable form of the "Sequence Listing" already on file, *i.e.*, already submitted during prosecution of the '874 application. The compliant computer readable form of the "Sequence Listing" submitted in the '874 application is identical to the paper copy of the "Sequence Listing" submitted with the present application (pp. 152-176 of the specification).

Authorization is hereby given to charge any additional fee due in connection with the submission of this communication to Deposit Account No. 5020521

Date: 11/14/02

Respectfully submitted,

David F. Ries
David F. Ries
Registration No. 43,046
Attorney for Applicants

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APPLICATION NUMBER	FILING RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/008,960	12/07/2001	James R. Smith	3634-025

CONFIRMATION NO. 5474

FORMALITIES LETTER



OC000000008107071

Date Mailed: 05/14/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The signature of the following inventor(s) is missing from the oath or declaration:
Asao Noda
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

Items Required To Avoid Processing Delays:

The item(s) indicated below are also required and should be submitted with any reply to this notice to avoid further processing delays.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$65** for a Small Entity

- **\$65** Late oath or declaration Surcharge.

*A copy of this notice **MUST** be returned with the reply.*


Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE